

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAMEEKA BAKER,

Plaintiff,

-v-

CITY OF NEW YORK, et al.,

Defendants.

20-CV-589 (JMF)

ORDER TO SHOW
CAUSE

JESSE M. FURMAN, United States District Judge:

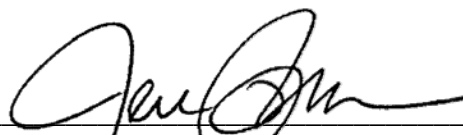
The Complaint in this case was filed with the Court on January 22, 2020, *see* ECF No. 1, and names “John Doe[s] (1)-(3)” as defendants, but the docket does not reflect that these John Doe Defendants were ever identified or served with the Complaint. Accordingly, and notwithstanding the next paragraph, it is hereby ORDERED that Plaintiff communicate with the Court, in writing, as to why Plaintiff has failed to serve the summons and Complaint within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure, or, if Plaintiff believes that the John Doe Defendants have been served, when and in what manner such service was made. If the Court does not receive any communication from Plaintiff by **February 12, 2021**, showing good cause why such service was not made within the 90 days, the Court will dismiss Plaintiff’s claims against the John Doe Defendants without further notice.

On January 29, 2021, Plaintiff and Defendant City of New York (“City”), notified the Court of a settlement between those parties and filed a stipulation of dismissal. ECF No. 46. Defendant Franco’s cross-claims against Defendant City (as well as the John Doe Defendants), however, remain, ECF No. 26 ¶¶ 66-68, so Defendant City should not be dismissed from the case at this time. Plaintiff’s claims against Defendant Franco also remain pending but cannot proceed until the pending criminal proceedings against him are resolved. In light of the inability to progress with any of the remaining claims, the Court sees no reason to maintain this case on the Court’s active docket. Accordingly, the Court hereby ORDERS this case administratively closed subject to the right of any party to move to reopen it **within 21 days of the resolution of the currently pending criminal proceedings against Defendant Franco (or upon a showing of good cause regarding Plaintiff’s failure to serve the John Doe Defendants).**

The Clerk of Court is directed to administrative close this case.

SO ORDERED.

Dated: February 1, 2021
New York, New York


JESSE M. FURMAN
United States District Judge